

## CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231.

Typed or Printed Name	Kimberly W. Zuehlke	
Signature <i>Kimberly W. Zuehlke</i>	Date	6 February 2003
<b>RESPONSE TO RESTRICTION REQUIREMENT</b>  Address to: Commissioner of Patents and Trademarks Washington, D.C. 20231	Application No.	09/706,307
	Confirmation No.	6733
	Filing Date	November 3, 2000
	First Named Inventor	WHAYNE, JAMES G.
	Examiner	ROBINSON, DANIEL LEON
	Group Art Unit	3742
	DOCKET NO.	CNVG-006

Sir:

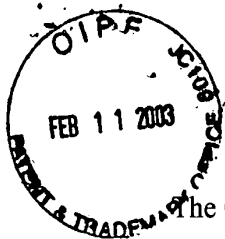
This is in response to the Restriction Requirement dated December 6, 2002. The Examiner therein required election of one of the following groups of claims:

- Group I: Claims 1-21, drawn to a heart support structure
- Group II: Claims 22-25, drawn to a method of energy transfer; or
- Group III: Claims 26-31, drawn to a device for transferring energy,

Applicants hereby elect to prosecute the claims of Group I, claims 1-21, without traverse.

Applicants expressly reserve the right under 35 USC §121 to file a divisional application directed to the non-elected subject matter or any subject matter disclosed in this application during the pendency of this application.

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The Commissioner is hereby authorized to charge any fees under 37 C.F.R. §§ 1.16 and 1.17 which may be required by this paper, or to credit any overpayment, to Deposit Account No. 50-0815, order number CNVG-006.

Respectfully submitted,  
BOZICEVIC, FIELD & FRANCIS LLP

Date: 2/5/03

By:   
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